

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

In re:	)	CHAPTER 13
	)	
Clayton Edwin Leonard, and	)	CASE NO. 12-79015-JRS
Laureen Ann Lesniak	)	
	)	
Debtor(s)	)	

**MOTION TO SUSPEND PLAN PAYMENTS**

COMES NOW, Clayton Leonard and Laureen Lesniak (“DEBTORS”), by and through counsel, and respectfully moves the Court to suspend their Chapter 13 plan payments for April, May, and June 2014 and shows this Court as follows:

1.

This Court has jurisdiction in this matter pursuant to 28 U.S.C. Section 1334, 28 U.S.C. Section 151, and 28 U.S.C. Section 157.

2.

This Court is the proper venue for this matter pursuant to 28 U.S.C. Section 1409.

3.

This case was commenced on November 20, 2012 by the filing of a petition for relief under Chapter 13 of the Bankruptcy Code.

4.

Subsequent to the filing of the instant case the Debtors' plan payments were current.

5.

Since the filing of the case, Debtors' financial condition and ability to maintain their trustee payments has been compromised as a result of some unexpected medical conditions and inclement weather.

6.

The Debtors' income has been temporarily reduced as a result of being forced to work fewer hours over the past couple of months. The reduction of hours and income has caused the Debtors to fail to meet their financial obligations.

7.

Debtors' pray for a suspension of plan payments in order to catch up on their financial obligations. More specifically, Debtors need to make past-due mortgage payments and utility payments that they were unable to make due to the decreased income and the active Employer Deduction Order.

8.

The Debtors expect to be able to resume regular monthly payments to the Chapter 13 Trustee in June 2014 and Debtors' Chapter 13 will still be fully funded within the applicable commitment period. Thus, the relief sought by the Debtors will cause no harm

to any creditors.

WHEREFORE, Debtors pray that their motion be granted and the Court enter an Order Suspending the Debtors' plan payments for April, May, and June of 2014.

Respectfully submitted, this 26 February 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
Jason Khano, Attorney for Debtors  
Ga Bar No. 931962  
Khano & Associates, LLC  
58 S. Park Sq. NE, Suite N  
Marietta, GA 30060  
404-522-6031  
404-522-6034 (fax)  
Jason@KhanoLaw.com

#### CERTIFICATE OF SERVICE

I certify that I have furnished a true copy of the within and foregoing MOTION TO SUSPEND PLAN PAYMENTS to the Chapter 13 Trustee Adam M Goodman, Suite 200, 260 Peachtree Street, Atlanta, Ga. 30303 and to all of the creditors hereby attached in the creditor matrix by depositing same in the U.S. Mail with sufficient postage thereto affixed to insure delivery.

This 26 February 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
Jason Khano  
Attorney for Debtor

IN THE UNITED STATES BANKRUPTCY COURT  
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Laureen Ann Lesniak	)	
Debtor(s)	)	

**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that the Debtors have filed a Motion to Suspend Plan Payments and related papers with the Court seeking an Order suspending plan payments for the months of April, May, and June of 2014.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on the Motion to Excuse Chapter 13 payments in Courtroom 1404, United States Courthouse, 75 Spring Street, SW, Atlanta, GA at 2:00 PM on March 27, 2014.

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in the bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your view, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate of service stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, US Bankruptcy Court, Suite 1340, 75 Spring Street, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address below.

DATED THIS 26 February 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
Jason Khano, Attorney for Debtors  
Ga Bar No. 931962  
Khano & Associates, LLC  
58 S. Park Sq. NE, Suite N  
Marietta, GA 30060  
404-522-6031

Label Matrix for local noticing  
113E-1  
Case 12-79015-jrs  
Northern District of Georgia  
Atlanta  
Wed Feb 26 10:07:30 EST 2014

1st Franklin  
Pob 383  
Winder, GA 30680-0383

1st Franklin Financial Corp  
138 West Athens St. Ste F  
PO Box 383  
Winder, GA 30680-0383

American Express  
American Express Special Research  
Po Box 981540  
El Paso, TX 79998-1540

American Express Bank, FSB  
c o Becket and Lee LLP  
POB 3001  
Malvern, PA 19355-0701

American InfoSource LP as agent for  
Gwinnett Hospital System  
PO Box 248838  
Oklahoma City, OK 73124-8838

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

(p)BB AND T  
PO BOX 1847  
WILSON NC 27894-1847

Branch B&t  
Po Box 2306  
Wilson, NC 27894-2306

CHESWOLD (OPHRYS), LLC  
C O WEINSTEIN AND RILEY, PS  
2001 WESTERN AVENUE, STE 400  
SEATTLE, WA 98121-3132

Capl/bstby  
Po Box 5253  
Carol Stream, IL 60197-5253

Capital One, N.A.  
Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712-1083

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c o Becket and Lee LLP  
POB 3001  
Malvern, PA 19355-0701

Chase  
201 N. Walnut St//Del-1027  
Wilmington, DE 19801-2920

Chase Manhattan Mortgage  
Attn; Bankruptcy Dept  
3415 Vision Dr. Mail Code: Oh4-7133  
Columbus, OH 43219-6009

Chase Mht Bk  
Attention: Bankruptcy  
Po Box 15298  
Wilmington, DE 19850-5298

(p)CITIBANK  
PO BOX 790034  
ST LOUIS MO 63179-0034

Department Stores National Bank/Bloomington  
Bankruptcy Processing  
Po Box 8053  
Mason, OH 45040-8053

Department Stores National Bank/Macys  
Bankruptcy Processing  
Po Box 8053  
Mason, OH 45040-8053

Dsnb Bloom  
Macy's Bankruptcy Dept.  
9111 Duke Blvd.  
Mason, OH 45040-8999

Dsnb Macys  
9111 Duke Blvd  
Mason, OH 45040-8999

Freedom Road Financial  
10605 Double R Blvd Ste  
Reno, NV 89521-8920

FreedomRoad Financial c/o CRG-20016  
PO Box 29426  
Phoenix, AZ 85038-9426

GE Capital Retail Bank  
c/o Recovery Management Systems Corp  
25 SE 2nd Ave Suite 1120  
Miami FL 33131-1605

Gemb/JC Penny  
Attention: Bankruptcy  
Po Box 103104  
Roswell, GA 30076-9104

Georgia Department of Revenue  
1800 Century Center Blvd, N.E.  
Atlanta, GA 30345

Adam M. Goodman  
Adam M. Goodman, 13 Trustee  
Suite 200  
260 Peachtree Street  
Atlanta, GA 30303-1236

Internal Revenue Service  
401 West Peachtree St., N.W.  
Stop 334-D  
Atlanta, GA 30308-8176

JPMorgan Chase Bank, N. A.  
Attn: Correspondence Mail  
Mail Code LA4-5555  
700 Kansas Lane  
Monroe, LA 71203-4774

JPMorgan Chase Bank, National Association  
3415 Vision Drive  
Columbus, OH 43219-6009

Jason G. Khano  
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Ronald A. Levine  
Levine, Block & Strickland, LLP  
Suite 240 - Centrum at Glenridge  
780 Johnson Ferry Road  
Atlanta, GA 30342-1434

(p)NISSAN MOTOR ACCEPTANCE CORPORATION  
LOSS RECOVERY  
PO BOX 660366  
DALLAS TX 75266-0366

Nordstrom FSB  
Attention: Bankruptcy Department  
Po Box 6566  
Englewood, CO 80155-6566

Nordstrom fsb  
P.O. Box 6566  
Englewood, CO 80155-6566

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

U. S. Attorney  
600 Richard B. Russell Bldg.  
75 Spring Street, SW  
Atlanta GA 30303-3315

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank Of America  
Attention: Recovery Department  
4161 Piedmont Pkwy.  
Greensboro, NC 27410

Bb&t  
Po Box 1847  
Wilson, NC 27894

Citibank Sd, Na  
Citi Corp Credit Services/Attention: Cen  
Po Box 20363  
Kansas City, MO 64195

(d)Citibank Usa  
Citicorp Credit Services/Attn: Centraliz  
Po Box 20363  
Kansas City, MO 64195

Nissn Inf Lt  
Attn: Bankruptcy  
8900 Freeport Parkway  
Irving, TX 75063

Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Adam M. Goodman  
Adam M. Goodman, 13 Trustee  
Suite 200  
260 Peachtree Street  
Atlanta, GA 30303-1236

(u)Nissan-Infiniti LT,

End of Label Matrix  
Mailable recipients 40  
Bypassed recipients 2  
Total 42